IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11717 of 2004

Between:
P.Subamma W/o Sambasiva Rao, Hindu, aged 47 years,
R/o. Kothapet, Guntur.

..... PETITIONER

AND

The Special Officer and Competent Authority,
Urban Land Ceiling, Arundelpet, Guntur.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ or order or direction more particularly one in the nature of writ of mandamus directing the respondent to consider the petitioner representation dated 21.12.2003 in file ULC No.517/76 as per the instruction/guidelines issued by the Government of India as per letter No.3/1/97 UCU (2) dt.21.5.97 and further declare that in action of the respondent in not considering the petitioner representation as illegal and arbitrary.

Counsel for the Petitioner :MR.RAJA REDDY KONETI.

Counsel for the Respondent : THE GP FOR LAND CEILING

The Court at the admission stage made the following :

ORDER:

By this writ petition, the petitioner seeks a direction to the respondent-Special Officer and Competent Authority, Urban Land Ceiling, Guntur to consider and pass orders on the representation dated 21.12.2003 made by him for determination of their holding in the light of the guidelines issued by the Government of India, Ministry of Urban Affairs and Employment (Department of Urban Development), Nirman Bhavan, New Delhi in Lr. No.3/1/97 UCU (2), dated 21-05-1997.

The grievance of the petitioner is that without calling for their objections, the respondent passed order under Section 9 of Urban Land (Ceiling and Regulation) Act, 1976 declaring about Ac.1.45 cents of his land as surplus, for which the petitioners made a representation dated 21.12.2003 to the respondent for re-determination of their holding in terms of the guidelines issued by the Government of India, but the respondent has not considered their representation so far. Questioning the action of the respondent in not considering their representation, the present writ petition is filed.

Having heard the learned counsel for petitioner and having regard to the facts and circumstances of the case, and having regard to the fact that the representation said to have been filed by the petitioner is pending with the respondent, without going into the merits of the case, I deem it appropriate to dispose of the writ petition with the following directions:

If the representation dated 21.12.2003 of the petitioner is not yet disposed of, the respondent shall consider and dispose of the same in accordance with law and pass appropriate orders thereon, within a period of eight weeks from the date of receipt of a copy of this Court.

No costs.

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N.V. RAMANA, J.

09th July, 2004.

YS/tvk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1. The Special Officer and Competent Authority,
Urban Land Ceiling, Arundelpet, Guntur.
2. Two CCs to GP for Land Ceiling, High Court
Buildings, Hyderabad. (OUT)
3. Two CD copies.